

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**September 18, 1998**

## DIVISION ONE

B111428      A & K Medical Supply, Inc., et al.  
v.  
Simonian, et al.

B115353      A & K Medical Supply, Inc., et al.  
v.  
Simonian, et al.

Filed order consolidating above captioned appeals.

B123120      Rona A.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles County Department of Children and Family Services, r.p.i.)

We deny the petition.

Ortega, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

B115803      Sharpe, a Minor, etc.      (Not for Publication)  
v.  
MacFrugal's Bargains-Closeouts, Inc., et al.

We affirm the summary judgment. Defendants are awarded costs.

Ortega, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

September 18, 1998-Continued

## DIVISION ONE (Continued)

B110805      Cohen      (Not for Publication)

V.  
Marshall, et al.

The judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

B112811      Jacobson      (Not for Publication)

V.  
Selvin, Weiner & Ruben, et al.

We affirm the judgment. The respondents are entitled to their costs on appeal.

Ortega, J.

We concur: Spencer, P.J.  
Dunn, J. (Assigned)

B113503      Bandai America Incorporated      (Not for Publication)

v.  
Navajo LTL, Inc.

We affirm the judgment. BA is entitled to its costs on appeal.

Ortega, J.

We concur: Spencer, P.J.  
Dunn, J. (Assigned)

September 18, 1998-Continued

## DIVISION ONE (Continued)

[illegible]

The judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.  
Dunn, J. (Assigned)

B125290      Gonzalez et al.      (Not for Publication)  
v.  
City of Inglewood et al.

The Court:

Therefore, let a peremptory writ issue, commanding respondent superior court to vacate its order of September 4, 1998 granting the petition and to issue a new and different order denying same, in Los Angeles Superior Court case No. BS052781, entitled Fernando Gonzalez et al. v. City of Inglewood et al.

Spencer, P.J., Vogel (Miriam A.), J., Masterson, J.

## DIVISION THREE

B103028 Imperial Thrift and Loan (Not for Publication)  
B114535 v.  
Darryl W. Genis

The judgment and order from which defendant has appealed are both affirmed. Costs on appeal to plaintiff.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Cooper (F.M.), J. (Assigned), and Jim Guzman, Deputy Clerk.

Each of the following:

B112651 People v. Brandon & Maynard  
B115092 People v. Johnson  
B116907 People v. Turner  
B120834 D.C.F.S v. Gina V.  
B110389 People v. Renteria & Tatum  
B114659 People v. Elwell  
B113538 People v. Brown  
B114602 People v. Peacock  
B106723 People v. Brooks  
B115245 Chung v. Lee  
B119794 D.C.F.S. v. Kelly A.  
B112708 Moss v. Garrity

Argument waived, cause submitted.

B119864     Oliver  
               v.  
               D.C.F.S.

Merits:  
Argued by Basil G. Dezes for appellant and by Ernest C. Chen for respondent. Cause submitted.

B117195     People  
               v.  
               Montes

Merits:  
Argued by Tracy J. Dressner for appellant and by Jennifer A. Leal for respondent. Cause submitted.

DIVISION FOUR (Continued)

B111742     Sasson  
              v.  
              Cypress Insurance Co.

Merits:  
Argued by Herbert Z. Ehrman for appellant and by William S. Loomis for respondent. Cause submitted.

B112726     Wormer  
              v.  
              Barsamiam

Merits:  
Argued by David L. Margulies for appellant and by Curtis A. Cole for respondent. Cause submitted.

B107907     McKey  
              v.  
              Charles Schwab & Co.

Merits:  
Argued by Michael R. White for appellant and by Andrea Sheridan Ordin for respondent. Cause submitted.

B117064     Weatherup  
              v.  
              Mid-Century Insurance Co.

Merits:  
Argued by Roy G. Weatherup for appellant and by Mary F. Dant for respondent. Cause submitted.

DIVISION FOUR (Continued)

B115801     Watson  
              v.  
              County of Los Angeles

Merits:  
Argued by Matthew B. Herrell for appellant and by Daniel P. Barer for respondent. Cause submitted.

B106583     Bennett  
              v.  
              American Motorist Insurance Co.

Merits:  
Argued by W. Ruel Walker for appellant and by Alex M. Duarte for respondent. Cause submitted.

Court recessed.

The Court reconvened at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Cooper (F.M.), J. (Assigned), and Jim Guzman, Deputy Clerk.

B115753     People  
              v.  
              Wiley

Merits:  
Argued by Huey P. Shepard for appellant and by Joseph P. Lee for respondent. Cause submitted.

B117255     Duke Development Co.  
              v.  
              City of Los Angeles

Merits:  
Argued by Lisa A. Weinberg for appellant and by Susan D. Pfann for respondent. Cause submitted.

DIVISION FOUR (Continued)

B113156     People  
              v.  
              Martinez, Gomez, Rios & Zarceno

Merits:  
Argued by Ivy K. Kessel for appellant Martinez, Mark D. Lenenberg for appellant Gomez, David H. Goodwin for appellant Rios and Joan T. Anyon for appellant Zarceno and by Lori R. Mars for respondent. Cause submitted.

B113235     Goodstein  
              v.  
              Cedars-Sinai Medical Center

Merits:  
Argued by Reba W. Thomas for appellant and by Herbert Papenfuss for respondent. Cause submitted.

B114153     Rinon  
              v.  
              Kuo

Merits:  
Argued by Jose Y. Lauchengco for appellant and by Frank D. Walker for respondent. Cause submitted.

B115661     Johnson  
              v.  
              Loya

Merits:  
Argued by Roger W. Simpson for appellant and by David R. Cadwell for respondent. Cause submitted.

Court adjourned.

DIVISION FIVE

B109569      Judicial Council Coordination Proceeding 2967

v.

"Lockheed Litigation Cases"

Filed order resubmitting cause this date.

DIVISION SIX

B117257      Mary Scarpace

v.

State Water Resources Control Board of the State of California

Stefan Illy

the      Filed order granting motion to dismiss appeal in part. Rather than dismissing the appeal, we reverse the judgment dated September 8, 1997 (and the decision dated July 9, 1997), and we remand this case solely for purpose of restoring this matter to the jurisdiction of the trial court. The trial court is ordered to dismiss the proceedings below as having become moot prior to final determination on appeal.

DIVISION SEVEN

B113836      People

(Not for Publication)

v.

Bautista

The judgment is affirmed.

Johnson, Acting P.J.

We concur:    Woods, J.

Neal, J.



September 18, 1998-Continued

DIVISION SEVEN (Continued)

B109763	People v. Perez	(Not for Publication)
B118037	In re Perez on Habeas Corpus	

The judgment is affirmed. The habeas corpus petition is denied.

Johnson, J.

We concur: Lillie, P.J.  
Woods, J.